

REMARKS

This application has been reviewed in light of the non-final Office Action mailed on February 18, 2010. Claims 1-19 are pending in the present application with Claims 1 and 9 being in independent form. By the present amendment, Claims 1-19 have been amended to better clarify Applicants' claimed subject matter. Claims 1-19 are also amended for non-statutory reasons: to correct one or more informalities, remove figure label number(s), and/or to replace European-style claim phraseology with American-style claim language. No new matter is added.

Claims 1, 3-5, 7-9, 12-13, and 18-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Striemer et al. (U.S. Patent No. 6,931,463) in view of DeGeorge (U.S. Application No. 2003/0135868). This rejection is respectfully traversed.

Claim 1, as amended herein, recites, *inter alia*, as follows:

"...wherein the non-standard features are configured to be (i) concurrently operable with the one or more additional functionality features and (ii) selectively updateable by the one or more additional functionality features." (emphasis added)

At page 3 of the present Office Action, the Examiner stated that Striemer does not explicitly disclose that the device in question is an "entertainment device." The Examiner relied on DeGeorge to cure the deficiencies of Striemer.

However, it is respectfully submitted that the applied combination of Striemer and DeGeorge fails to disclose and/or suggest "...wherein the non-standard features are configured to be (i) concurrently operable with the one or more additional functionality features and (ii) selectively updateable by the one or more additional functionality features," as recited in amended independent Claim 1.

As best understood by Applicants, DeGeorge is directed to a system and method for

updating computer software in a television receiver that uses digital data encoded in a television signal recorded on a video tape or digital versatile disk (DVD). The system receives the television signal and extracts the data representing the computer software from it. The system checks the extracted data and, if it is determined to be complete and correct, uses the extracted data to update the computer software in the television receiver. (Abstract)

In contrast, at paragraph [0044] of Applicants published application (2008/0055102), it is stated that:

“Some or all of the aforementioned additional features may already be latently present in the electronic systems, either originating from fabrication of the systems, or due to the fact that the functionality button has already been attached to the system before, and at that time the additional features were installed on, or provided to, the electronic systems. In such an embodiment of the present invention, the functionality feature is activated when attaching one or more buttons to the systems, the functionality feature remaining activated whilst the one or more buttons remain attached to the systems.” (emphasis added)

In other words, the previous features are compatible with the currently added features. Additionally, the previous features may be updated as a result of the addition of the currently added features. Thus, this is a system that supports compatibility, as well as dynamic updating of information/features in real time.

It is respectfully submitted that independent Claim 9 has been amended to recite similar limitations as those of independent Claim 1. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) with respect to Claims 1 and 9 and allowance thereof are respectfully requested.

Claims 3-5, 7-8, 12-13, and 18-19 depend from one of independent Claims 1 and 9 and therefore include the claim limitations of their respective independent claims. Further, dependent Claims 3-5, 7-8, 12-13, and 18-19 recite additional patentable features. Accordingly, for at least the same reasons given above for the allowance of Claims 1 and 9, the withdrawal of the rejection

under 35 U.S.C. §103(a) with respect to dependent Claims 3-5, 7-8, 12-13, and 18-19 and allowance thereof are respectfully requested.

Claims 2, 6, and 10-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Striemer and DeGeorge in view of Henrie et al. (U.S. Patent No. 6,519,144). This rejection is respectfully traversed.

Claims 2, 6, and 10-11 depend from independent Claims 1 and 9 and therefore include the claim limitations found in Claims 1 and 9. Claims 2, 6, and 10-11 are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claims 1 and 9. Additionally, Henrie does not address the deficiencies of Striemer and DeGeorge with respect to independent Claims 1 and 9. Further, dependent Claims 2, 6, and 10-11 recite additional patentable features. Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to dependent Claims 2, 6, and 10-11 and allowance thereof are respectfully requested.

Claims 14 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Striemer and DeGeorge in view of Silvester et al. (U.S. Application No. 2003/0068034). The rejection is respectfully traversed.

Claims 14 and 17 depend from independent Claims 1 and 9 and therefore include the claim limitations found in Claims 1 and 9. Claims 14 and 17 are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claims 1 and 9. Additionally, Sylvester does not address the deficiencies of Striemer and DeGeorge with respect to independent Claims 1 and 9. Further, dependent Claims 14 and 17 recite additional patentable features. Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to dependent Claims 14 and 17 and allowance thereof are respectfully requested.

Claims 15 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over

Strierner and DeGeorge in view of Kelley et al. (U.S. Application No. 2004/0253944). This rejection is respectfully traversed.

Claims 15 and 16 depend from independent Claims 1 and 9 and therefore include the claim limitations found in Claims 1 and 9. Claims 15 and 16 are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claims 1 and 9. Additionally, Kelley does not address the deficiencies of Strierner and DeGeorge with respect to independent Claims 1 and 9. Further, dependent Claims 15 and 16 recite additional patentable features. Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to dependent Claims 15 and 16 and allowance thereof are respectfully requested.

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner contact the applicants' attorney, so that a mutually convenient date and time for a telephonic interview may be scheduled for resolving such issues as expeditiously as possible.

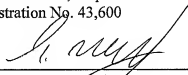
In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

Respectfully submitted,

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